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May 21, 2010

JOHN H. BROADLEY

Cynthia T. Brown, Chief
Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street S.W.
Washington, D.C. 20423-0001

227123

Re: STB Docket AB 295 (Sub-No. 7X), The Indiana Rail Road Company—
Abandonment Exemption—Martin and Lawrence Counties, IN

Dear Ms. Brown:

In its March 26, 2010 decision exempting the captioned abandonment from regulation, the Board imposed a Historic Preservation (Section 106) condition prohibiting The Indiana Rail Road Company ("INRD") from filing a certificate of consummation or commencing salvage activities on the line until completion of the Section 106 process, and removal of the condition by the Board.

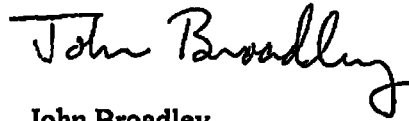
Attached is a letter from the Indiana State Historic Preservation Officer dated May 18, 2010 concurring with the STB's May 14, 2010 finding that there are no historic buildings, structures, districts, objects, or archaeological resources within the area of potential effects that will be adversely affected by the indicated project, provided the conditions stated in the STB's May 14 letter are adhered to. On May 14, 2010 I sent a letter to the Indiana State Historic Preservation Officer committing INRD to comply with the conditions the STB had set forth..

This letter is to ask the Board to move expeditiously to remove the Historic Preservation Condition from its March 26 order. As INRD stated in its Petition for Exemption, the rail and ties on the Crane-Bedford line are needed to support INRD's 2010 and 2011 capital construction program on other parts of its rail system. As we pointed out to the Indiana State Historic Preservation Officer, the rail construction season is now well underway in the Midwest and it is critical to INRD's program that salvage activities begin on the Crane-Bedford line to provide relay rail and relay ties to support the specific construction projects INRD outlined in its Petition for Exemption.

Cynthia T. Brown
May 21, 2010
Page No. 2

I urge the Board to move this matter forward and remove its Section 106 condition as quickly as possible now that all other substantive and procedural requirements have been satisfied. If you have any questions about this matter, please do not hesitate to call me at the above number.

Yours very truly,

A handwritten signature in cursive script that reads "John Broadley". The signature is written in dark ink and is positioned above the printed name.

John Broadley

Attachment



Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director

Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 • Indianapolis, IN 46204-2739
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May 18, 2010

John H. Broadley
John H. Broadley & Associates, P.C.
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1054 Thirty-First Street, N.W.
Washington, D.C. 20007

Federal Agency: Surface Transportation Board

Re: Notification of Surface Transportation Board's "No Adverse Effect" finding regarding the abandonment of a rail line from milepost 241.35 at Crane to milepost 262.5 in Bedford and abandonment of the Bedford Industrial Track from milepost 0.00 to milepost 1.65 (Docket No. AB 295 [Sub-No. 7X]; DHPA #7321)

Dear Mr. Broadley:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials dated and received on May 14, 2010 for the above indicated project from Crane to Bedford, Martin and Lawrence counties, Indiana.

We concur with the Surface Transportation Boards' May 14, 2010 finding that there are no historic buildings, structures, districts, objects, or archaeological resources within the area of potential effects that will be adversely affected by the above indicated project provided the conditions stated in the above letter are adhered to.

If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and 29 does not obviate the need to adhere to applicable federal statutes and regulations.

If you have questions about archaeological issues please contact Cathy Draeger-Williams at (317) 234-3791 or cdraeger-williams@dnr.IN.gov. If you have questions about buildings or structures please contact Chad Slider at (317) 234-5366 or cslider@dnr.IN.gov. Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA #7321.

Very truly yours,

James A. Glass, Ph.D.
Deputy State Historic Preservation Officer

JAG:CDW:edw

cc: David C. Navecky, Environmental Protection Specialist, Surface Transportation Board
enc: Norm West, EPA Chicago Office
Troy Brady, Surface Transportation Board